Testimony of James C. O'Brien The Successor States to Pre-1991 Yugoslavia: Progress and Challenges Senate Committee on Foreign Relations Subcommittee on European Affairs

June 25, 2003

Mr. Chairman, thank you for the opportunity to testify today.

Over the last decade, this region bled at its torn edges. Today the states that have emerged from the former Yugoslavia are on the cusp of great successes, and it is a privilege to speak about them before this Committee.

This Committee has an august history, and on this subject in particular its members can be very proud. Speaking as someone who was inside two Administrations I can attest that your criticism was always constructive, especially when it was well deserved. The Committee's record on the Balkans testifies to the importance of congressional involvement and oversight.

My governmental work on the Balkans began when the wars started. I was then a career attorney in the State Department. There, I helped argue for and support the International Tribunal, participated in the major peace negotiations in the region once the US became active in 1994, and then finished my time in government as the President's envoy for the Balkans, with responsibility for US policy during, among other events, the transition to democracy in Belgrade.

As with any U.S. foreign policy, our approach to the states that have emerged from what was Yugoslavia should be measured by how well the policy promotes the security, prosperity, and values of the United States and our friends.

Seen in that light, the Balkans, including these states, have become a success story on the verge of becoming historic. After a decade of bloodshed and international stumbling, for the first time in hundreds of years -- since empires brushed against one another on this territory – the people of the Balkans are part of a Europe whole and free. All states of the region are democratic; our European partners have joined with us in securing this end; the global community has endorsed and contributed to our success; and security threats from terrorism and crime are much less than they were when dictatorships and paramilitary forces set the order of the day.

But the strategic environment facing the United States has changed greatly before the job is done. As we turn our priorities – properly – to challenges from central Asia, the Caucuses, and the Middle East, we need to reflect on the way we have carried out our policy in the Balkans.

The primary lesson we should take from the Balkans is that it requires time, resources, and commitment to help countries rebuild themselves. A corollary is that our initial successes may fade quickly unless we work in partnership with others.

America's attention and effort can be commanded by emergencies and threats anywhere in the globe. When we work in partnership we have resources that remain in place, multiplying our commitment and bringing skills we may need, so that we have the flexibility to respond where we must.

At times we may believe that we have the resources, sense of urgency, and finger-tip feel to do it on our own. Even then, Mr. Chairman, we face a problem in perceptions. Those who oppose us know that American administrations sometimes change their minds and sometimes just plain change. They are willing to bet their lives, and the lives of our soldiers, that they have more staying power than we do. Our best and safest answer is to be there with partners – then we have the latitude to reduce our engagement while our coalition remains in force.

In the states of the former Yugoslavia, our partnerships need to be dusted off and revised in the new strategic environment. In my testimony today I want to review several core partnerships and suggest some ways forward.

First, partnership with reformers in the states of the former Yugoslavia. The states that have emerged from Yugoslavia still face great challenges. Democracies are not rooted deeply. Organized crime threatens to overwhelm law enforcement resources. Tensions from the wars of the last twelve years continue to fuel resentment.

The United States has done well and good in the Balkans when we have amplified the voices and magnified the strength of the people and groups who speak for a future in Europe. This includes civil society, political parties, and people who aspire to positions in government.

For example, in Serbia and Montenegro, a democratic government has shown great resolve in the aftermath of the cowardly assassination of Prime Minister Zoran Djdindjic. Prime Minister Zivkovic has shown particular courage and integrity. Still, the government has not done everything it must to meet the conditions set by the Administration.

The question is how we can best achieve not just the specific goals announced by the Administration but our broader objective of seeing Serbia and Montenegro represented by officials who share our belief in a Europe whole and free. The test, in short, is what US policy will strengthen reformers.

Since the fall of Milosevic our policy has been predicated on the belief that reformers would always benefit from a clear goal, one that would force them to confront the Milosevic-era holdovers. This worked for the first year or more of the democratic government, because we helped choose the confrontations and backed the reformers at key points. The murder of Zoran Djindjic shows us the dangers of letting the criminals choose the points of confrontation.

We need again a policy that helps picks the confrontations and the reformers win. For example, Ratko Mladic belongs in jail in The Hague. <u>It is not enough, however, to</u> <u>declare a goal and wait to see what happens</u>. Our own government has experience in what must be done to find fugitives – and has been reminded how difficult it can be to succeed. I suggest that we draw on both experiences: develop a roadmap with the government in Belgrade to lay out the steps that they should be taking and a means to reassure ourselves that the government is in fact acting.

In Kosovo, final status negotiations have begun already. Each side has announced its dissatisfaction with the current situation. Extremists are trying to goad the other into offering a proposal first, knowing that the side in the biggest hurry will pay the largest premium. Direct talks on non-status issues will begin soon.

The UN representative, Michael Steiner, has recognized that, in the current early stages of negotiation, he has leverage stemming from when he puts the issue of status on the formal agenda. He is insisting that the agenda focus on standards before status is discussed.

This is the right approach, I believe. More practically, it is the approach we have. If we try to change the bar or specify the outcome of the process we will encourage those who believe that waiting and complaining is the way forward. Our goal should be the opposite – to empower those who recognize that performance is the way forward.

Bosnia still wrestles in the grip of pseudo-nationalists who enrich themselves and impoverish the rest of the country. The answer is to follow the money. If we take away their control of the country's resources, a new country can grow up in their place. Paddy Ashdown's emphasis on business development, property rights, and the dismantling of the crony networks – especially in defense – is exactly right. He is ably supported by Ambassador Robert Beecroft and the OSCE Mission, another strand in the partnership network that keeps working as US attention turns elsewhere.

Second, partnership with the states emerging from the former Yugoslavia. A

layered relationship of personal, economic, and security ties will help U.S. interests as these states take their rightful place in Europe. Many leaders of today's "new Europe" have long-standing personal and professional ties to the United States; this helps them understand our positions and work with us as partners. The next generation of leaders will look more toward Europe, however. We should cultivate friends where we can now.

Moreover, the states we are discussing will grow more quickly if we ask something of them. These states have resources and lessons applicable elsewhere in states rebuilding after conflict and internal tension. Each will grow as they see themselves a subject on the world stage, not an object of intervention whose every political tension is magnified by intense examination. **Third, partnership with the countries of the region** The United States succeeded in the former Yugoslavia when we worked in close partnership with Hungary, the Czech Republic, Slovakia, Slovenia, Romania, and Bulgaria. They are on the path to full NATO and EU membership. They have experience in transitions. They are deeply connected to the states of the former Yugoslavia. And they have every incentive to remain engaged even as senior US resources turn toward other challenges.

Eventually, I hope that the EU accession process can become the focal point of activity, but the creativity of these different partnerships deserve our respect and support. For example, Hungary and Romania have begun very interesting initiatives with Serbia and Montenegro. The Southeastern Europe Cooperation Initiative has constructive programs on trade and transportation and cross-border corruption that are showing results after years of investment. The Stability Pact is slowly developing its capacity to help regional integration. Slovenia has made an impressive transition toward European institutions. It deserves recognition for what it has done and, I believe, has acknowledged that it has a responsibility toward its neighbors.

Fourth, partnership with the European Union The United States is the guarantor of a deal struck in 1999 – the states of the region aspire to EU membership, and the EU agrees to take them in. The EU shoulders the lion's share of the burden (more than 80% of civilian and military assistance). But the United States must maintain its military and political presence.

This deal has just evolved. In Thessaloniki the EU has decided that integration is the organizing principle for its relations with the Balkans. The meaning of this remains unclear, and it is not as much as I would have liked. The European Stability Initiative, a very innovative and influential think tank, has proposed that the EU make these states eligible for structural assistance funds. This is an excellent idea. In practical terms, Thessaloniki brings much that is new: the states of the former Yugoslavia may be able to engage with the Commission's home directorates; bid for EU contracts; and have opportunities beyond the special assistance packages offered in recent years.

The still-uncertain nature of the Thessaloniki commitment creates opportunities for the United States. Creative diplomacy should work to create a process very much like the access process, with funding comparable to structural assistance funding, and creative forms of conditionality should be added to our toolkit.

Finally, partnership with the international community. In the Balkans, the international community worked with us to knit a Europe whole and free. It took years of patient effort, persuasion, leadership, and listening to piece together commitment toward that objective. In the end, even skeptics like Russia joined us to help implement it. The price of the time it took in human lives was too high, and I wish we had moved more quickly.

But the payoff of partnerships has been large. Our partners bring resources, skills, and attitudes that supplement our own, and their involvement makes the international commitment durable. When the US acts without partners, our friends may be tempted to wait for us to fail. When we act with them we are all invested in success, and the United States has the flexibility to reach elsewhere around the world as our security, prosperity, and values require.

Mr. Chairman, the United States has a strategic interest in the Balkans. An effort to project power from Europe will collapse if the states we discuss today cannot support the effort. Porous borders and criminal syndicates will combine to expose Europe to drugs, violence, and terrorism. We must stay involved. To do that in today's world requires that we appreciate the partnerships that multiply our resources.